

REMARKS

1. The USPTO mailed a final Office Action in this application on October 29, 2008. Appellants filed a Notice of Appeal pursuant to 37 C.F.R. §41.31 on March 11, 2009. Prior to the filing of an Appeal Brief, Appellants submit the above amendments cancelling claims 38-72 and 74-76. Appellants respectfully assert that these amendments are proper under 37 CFR 41.33(a) as allowed in 37 CFR 1.116, and entry is respectfully requested.
2. Appellants have also amended claims 29 and 34 to provide antecedent basis for the limitation “the flat surface.” Appellants respectfully assert that these amendments are proper under 37 CFR 41.33(a) as allowed in 37 CFR 1.116, and entry is respectfully requested. Appellants further submit that the amendments to claims 29 and 34 overcome the outstanding rejections under 35 U.S.C. §112. Accordingly, Appellants request that the Examiner issue an Advisory Action Before the Filing of an Appeal Brief in which the Examiner indicates that the amendments to claims 29 and 34 overcome the rejections under §112.
3. Claims 20-22, 25-37 and 73 remain on appeal.
4. If the Examiner has any questions regarding the above amendments, Appellants invite the Examiner to contact the undersigned.

Dated: April 28, 2009

Respectfully submitted,

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